

August 27, 2008

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Marisol Simon  
Regional Administrator, Region 5  
Federal Transit Administration  
200 West Adams Street, Suite 300  
Chicago, IL 60604

**Re: Comments on the Supplemental Draft Environmental Impact Statement  
for the Minneapolis-St. Paul, MN Central Corridor Project, CEQ No. 20080268**

Dear Ms. Simon:

In accordance with U.S. Environmental Protection Agency responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA), we have reviewed the Supplemental Draft Environmental Impact Statement (SDEIS) for the Minneapolis - St. Paul, MN Central Corridor Project. This project proposes to create a new light rail transit service between the downtowns of Minneapolis and St. Paul, Minnesota, while serving the University of Minnesota campus and the neighborhoods along University Avenue. This will be the second branch of the Twin Cities light rail system.

EPA participated in an early scoping meeting for this Central Corridor project in June 2001. We provided comments on the Draft Environmental Impact Statement (DEIS) on June 5, 2006. Scoping comments for this SDEIS were made on March 18, 2008. This letter provides comments based upon our review of the SDEIS and participation in an August 6, 2008 site visit. The SDEIS presented important project information that was not provided in the DEIS, including changes to the Local Preferred Alternative. Our comments on the DEIS raised concerns on the following issues: traffic impacts, especially in environmental justice (EJ) communities; hazardous waste sites; noise; karst geology and related ground water; air; and historic properties. We also requested an explanation why some alternatives were retained and others dropped.

**EPA concerns with the DEIS that have been fully or partially addressed**

**Traffic impacts**

The Metropolitan Council (MC), as project manager, created an eight-member community outreach team, representing the principal language and ethnic groups in the EJ

communities to be served by this project. In response to public concerns about vehicle and pedestrian connectivity across University Avenue, the project has increased the frequency of stop-light-controlled intersections to quarter-mile intervals and the frequency of pedestrian crossings of the rail line to eighth-mile intervals. These changes and their impacts were not presented in the SDEIS, but should be discussed in the Final EIS (FEIS). We understand that additional Transportation Management System efforts will divert traffic from some of the busiest intersections along the proposed route, and will facilitate train and emergency vehicle movements through the Central Corridor traffic lights. However, these changes and their impacts were not evaluated in the SDEIS and should be in the FEIS.

Reacting to community input, the SDEIS analyzed the impact of three additional stations along University Avenue to better serve these communities. The SDEIS indicated that some preliminary infrastructure will be included in the initial project design to accommodate the possible future construction of these additional stations. The FEIS should describe this preliminary infrastructure. The relocation of the University West Station and realignment of track serving that station, as presented and analyzed in the SDEIS, will afford easier access and better service to the EJ and university communities in that vicinity. The SDEIS provided an upgraded traffic analysis to the year 2030, and determined a need to increase train capacity to three cars and extend station platforms to accommodate these longer trains. The increased train and station lengths are analyzed in the SDEIS.

#### Noise

The relocation of the Capital Campus station and the track realignment to 12th Street has alleviated our noise issues at those locations. Public concerns over disruption of a major utility center at the corner of 4th and Cedar Streets in St. Paul may be resolved by the proposed realignment of the track diagonally through the middle of the adjacent block and the creation of a transit center mall, combining two stations into one at this location. This revision would reduce the potential noise (wheel squeal) at that location. Because this revision was presented in the SDEIS as a concept with only a cursory impact analysis, it should be fully described and analyzed in the FEIS.

#### Karst geology and related ground water

The MC undertook soil and subsurface geological studies in several areas suspected of having potential karst conditions. Those studies determined that karst conditions do not exist in those areas. This resolves our concern regarding ground water protection in those areas.

#### **EPA concerns with the DEIS that are unresolved**

#### Alternatives

We reiterate our DEIS comment that the rationale for retaining or dropping alternatives be clearly explained in the FEIS.

### Traffic impacts

The revised plan, as described in the SDEIS, will still result in a worse Level of Service (LOS) at fourteen intersections, many of them in the low income neighborhoods. This is an EJ issue as well as a safety concern.

### Hazardous waste sites

A number of potential hazardous waste sites were identified in the SDEIS, both in and adjacent to the project right of way, with potential to be directly impacted by the project's construction. The FEIS should specifically delineate these sites and their contaminants, and discuss what measures will be taken to deal with them. Other sites within the project area would potentially be disturbed due to project-induced development. Since one of the stated project goals is to induce secondary transit-oriented developments (TOD) for economic enhancement along this corridor, FTA and the MC should consider such induced impacts in the FEIS. The FEIS should also discuss options for financing the assessment, cleanup, and redevelopment of such TOD-candidate sites.

### Air

This project must demonstrate transportation conformity with the State Implementation Plan for air quality in the Minneapolis-St. Paul metropolitan area. Air conformity modeling and determinations should be presented in the FEIS using current air quality data and approved methodologies.

### Historic properties

Subsequent to the DEIS, the project has identified additional properties in the project area that may be potentially eligible for listing on the National Register of Historic Places. We reiterate our earlier request that the final Memorandum of Agreement with the State Historic Preservation Office, addressing all historic properties in the project area, be included in the FEIS, once signed.

## **EPA concerns related to project changes as presented in the SDEIS**

### Northern alternative

The University of Minnesota proposed a northern alternative to service the campus and analyzed its impacts. The MC considered this alternative and determined that it would be less effective in meeting the project purpose and need. Subsequently, a Memorandum of Understanding was negotiated with the University to affirm the University's support for the preferred alternative designated in the SDEIS. The SDEIS provided a clear explanation of why this alternative was dropped.

### Parking

The SDEIS describes the loss of parking spaces along and adjacent to the project corridor that are attributable to the project. Most of these losses will occur in the EJ communities. No

parking replacement or mitigation for the communities or local businesses is presented. The FEIS should present what mitigation will be provided.

#### Washington Avenue Bridge

The SDEIS indicated that the remodeling and restructuring of the Washington Avenue Bridge is proposed to be accomplished by working from the existing roadway, and not by working directly in the Mississippi River. However, those engineering and associated historic preservation measures have not actually been worked out, so potential impacts can not be definitively concluded. This needs to be resolved and clearly presented in the FEIS. Mississippi River wildlife and their habitat upstream and downstream of the bridge were alluded to in the SDEIS, with the assumption that these species therefore must pass through the Washington Bridge area. The project should study what species are in the vicinity of the bridge and whether any of those species require protection during construction and/or operation of the project. Please present that information in the FEIS. Although this bridge has an upper pedestrian walkway that is covered, this does not preclude all runoff impacts. Salting or other ice removal operations on this bridge and the resulting impacts, including to salt-sensitive species, should be fully assessed in the FEIS.

#### Station modifications

Two new pedestrian mall stations are proposed in the SDEIS, one at the University center and one in downtown St. Paul. These are significant concepts that were just recently incorporated into the project. However, no comprehensive impact assessment of them was provided in the SDEIS. A full assessment of their impacts should be included in the FEIS.

The relocation of the Stadium Village Station and modifications to the track pathways to service this station were necessary due to construction of the new University TCF Bank Stadium upon the former proposed station site. This station is also being considered as part of a University Transit Center. The FEIS should describe these changes in terms of the project purpose and need, including how these changes affect the stated project goal of serving the EJ communities along University Avenue.

The relocation and realignment of the Rice Street Station and track will optimize bus connections and reduce traffic impacts related to road geometry, but increase impacts to the Leif Ericson Park. Based upon Figures 2-7, 3-2-3, 3-4-2, 7-1, and the statement on page 7-13 that coordination with park officials is ongoing, the SDEIS implies that impacts to this park will occur, but those impacts are not adequately described or analyzed, nor are any mitigation measures proposed. The FEIS should address these issues.

#### Vibration

Vibration impacts are now anticipated in several University laboratory buildings and are noted in the SDEIS as a new concern. The extent of these impacts and possible mitigation being negotiated with the University should be presented in the FEIS.

### Electromagnetic Force

The SDEIS indicated that electromagnetic forces related to the traction power stations and catenary overhead power lines are potential impacts that will be studied and presented in the FEIS. This issue should be presented in a way that will be understandable by the general public.

### Maintenance and Storage Facility

The project will require a new maintenance and storage facility to accommodate the additional train cars for this project. It will be located on a former railroad site, along a new proposed extension of track east of the station proposed at St. Paul Union Station. This light rail station could eventually serve a future St. Paul Transportation Center on the south side of Union Station. This site presents potential hazardous waste issues. The FEIS should evaluate and discuss current conditions and the potential impacts of the proposed maintenance and storage operations.

### Conclusions

We are pleased that several of the concerns we raised in our review of the DEIS have been resolved in the SDEIS. The SDEIS has not resolved some earlier concerns regarding this proposed project related to explanation of alternative decisions, traffic impacts, hazardous waste, air quality, and historic properties. We are raising additional concerns based on new information presented in the SDEIS or subsequently during the August 6, 2008 site visit, including parking, the Washington Avenue Bridge remodeling, station modifications, vibration, EMF, and a new maintenance and storage facility. We find that the SDEIS is not a stand-alone document, depending heavily upon reference to the DEIS and other documents, some of which are still to be created. A significant amount of information is not yet available for public comment and is promised in the FEIS. We therefore retain our rating of "EC-2" (environmental concerns, insufficient information) for the SDEIS. We refer you to the enclosed Summary of Rating Definitions Sheet for a fuller definition. This rating and a summary of our comments will be published in the Federal Register.

We appreciate the opportunity to review and comment on this SDEIS for the Central Corridor Project. Should you have any questions regarding these comments, please feel free to contact me or Norm West of my staff at 312-353-5692 or west.norman@epa.gov.

Sincerely,

/S/

Kenneth A. Westlake  
Supervisor, NEPA Implementation  
Office of Enforcement and Compliance Assurance

Cc: Mark Fuhrmann, Project Director, Metropolitan Council

## **SUMMARY OF RATING DEFINITIONS AND FOLLOW UP ACTION\***

### **Environmental Impact of the Action**

#### LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

#### EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impacts. EPA would like to work with the lead agency to reduce these impacts.

#### EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

#### EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS state, this proposal will be recommended for referral to the CEQ.

### **Adequacy of the Impact Statement**

#### Category 1-Adequate

The EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collecting is necessary, but the reviewer may suggest the addition of clarifying language or information.

#### Category 2-Insufficient Information

The draft EIS does not contain sufficient information for the EPA to fully assess the environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

#### Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\*From EPA Manual 1640 Policy and Procedures for the Review of the Federal Actions Impacting the Environment